

FINAL STATEMENT OF REASONS

c. Local Mandate Statement

These regulations do not impose a mandate on local agencies or school districts. There are no state-mandated local costs in this order that require reimbursement under the laws of California.

d. Consideration of Alternatives

In developing the regulatory action, the Department did not consider alternatives because requirements adopted and administered by the State Fire Marshal and local fire authorities sufficiently protect nonambulatory children in child care centers (hereinafter "CCCs"). The Department has additionally determined that there are no other safety concerns requiring the separation of nonambulatory children from ambulatory children in CCCs and rooms within CCCs.

Accordingly, the Department has determined that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

e. Statement of Significant Adverse Economic Impact on Business

The proposed action will have no impact on small businesses because CCCs will not experience any economic loss due to the repeal of Sections 101161(b) and (b)(1) and will not be required by the Department to take any compliance actions after the repeal takes effect.

As such, the Department has determined that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

i. Testimony and Response

These regulations were considered as Item #1 at a public hearing held on March 27, 2019, in Sacramento. No comments were received during the 45-day comment period from February 8, 2019, to 5:00 p.m. March 27, 2019, and no further amendments have been made to the regulations.